



Parliament Watch

10th Parliament

(14th – 18th Session)

Executive Summary

English Version

17 May 2018

Parliament Watch

10th Parliament: 14th to 18th Session

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Acknowledgement

We are grateful to relevant staff of the Parliament Secretariat for their valuable time and assistance. We also acknowledge the contribution of colleagues from different Divisions and Units of TIB for their valuable feedback and observations that have contributed for enriching the research.

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Executive Summary

1.1 Introduction and Objectives

The main objectives of a parliamentary system of democracy are to hold discussions and thereby take decisions on important national issues, enactment of necessary laws for the interests of the country, reach consensus on issues concerning national interests and lead the country keeping people's aspirations and world context under consideration. In line with these objectives public representation, enactment of laws, and making the government accountable are three major businesses of a parliament. Parliament members elected by citizens, thus, make a government accountable through different motions and discussions - question-answer sessions, notices on matters of public importance, discussions on President's Speech and debate on budget, making of laws and functioning of parliamentary standing committees.

In Bangladesh, the parliament has been recognized as a major decision making and policy guidance forum. Therefore, political parties in their manifestos in the last general elections have emphasized on making the parliament effective. Bangladesh has also joined global bodies of national parliaments like - Inter Parliamentary Union (IPU) and Commonwealth Parliamentary Association (CPA) to ensure effective participation of parliamentarians for bringing peace and development in the society and articulating needs and aspirations of people. These platforms bring parliamentarians and parliamentary staff together to exchange ideas and identify benchmarks of good practices and new policy options that can be adopted to improve governance of their societies.

Monitoring of a parliament is not a new idea. Nearly 200 Parliamentary Monitoring Organizations (PMOs) have been monitoring more than 80 national parliaments worldwide. PMOs have been gathering information and data on parliamentary motions and developing a variety of innovative and effective tools for the monitoring parliamentary operations and supporting reform initiatives aimed at strengthening the democratic development of parliamentary institutions.

Thus, in view of parliament's paramount importance in promoting culture of democratic accountability for preventing corruption and establishing good governance in the country, TIB has been conducting "Parliament Watch" study since 2001 from the beginning of the 8th Parliament. The current report is the fourth report on the 10th Parliament and the 14th report of the Parliament Watch (PW) series.

1.2 Objectives

The overall objective of this research is to analyze the roles and proceedings of 14th to 18th sessions of the 10th Parliament in ensuring democracy and good governance and offer recommendations for making the parliament effective.

The specific objectives are to:

- Examine the roles of parliamentarians in ensuring people's representation, enact laws and making the accountable
- Examine the roles of Standing Committees in making the government accountable;
- Assess participation of women members in parliamentary matters and monitor matters relating to women's development and their rights;
- Assess roles of the Speaker and parliament members in managing the parliament;

- Assess openness of parliamentary matters

1.3 Methodology and Sources of Information

The study used both quantitative and qualitative methods for collecting data on the parliament. Information for this study was collected from both primary and secondary sources. The primary sources of data include live broadcast of proceedings of 14th to 18th sessions of the 10th Parliament by the state-owned national television channel ‘Sangsad TV’ (Parliament TV). The secondary sources include proceedings of the sessions and committee reports published by the Parliament Secretariat, government gazettes, parliament website, newspapers, books and articles. Some data were validated with the help of newspapers and information from the Parliament Secretariat.

Data on parliamentary sessions were generated by using a checklist through listening to recorded television broadcast. The checklist includes information regarding time and discussions in different motions of the parliamentary sessions relating to President’s Speech, roles of the Speaker, question-answer sessions of the Prime Minister and Ministers, enactment of laws, Budget Discussions, general discussions, discussions on Point of Order, notices on issues of public importance, parliamentary resolutions, boycott and walk-out by the opposition etc.

The study also explored parliamentary openness on the basis of some international and practices that includes SDG targets regarding public access to information and IPU and PMO pleas on information dissemination by parliaments and other good practices.

1.4 Reference period

Data for this study was collected on the 14th to 18th sessions of the 10th Parliament held from January 2017 to December 2017.

2. Findings of the Research

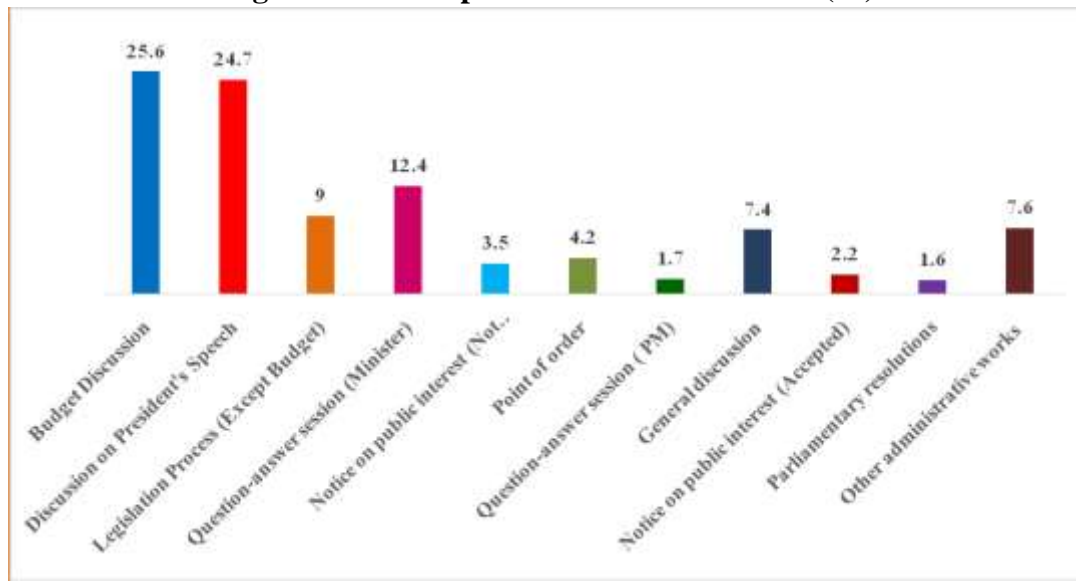
2.1 Total Days spent in different sessions

In five sessions (14th to 18th sessions), total number of session days are 76. Sixteenth session was the budget session for which 24 days were spent. Fourteenth session was on President’s Speech for 32 days.

2.2 Time spent in different activities

In total, 260 hours and 8 minutes were spent in different motions in five sessions under consideration. The average working hours per day was around 3 hours and 25 minutes. The highest amount of time spent was in budget discussions, which is 25.6% of the total time. Other areas in which notable amount of time was spent include discussions on President’s Speech (24.7%), minister’s question and answer sessions (12.4%) and law making (9%) (Figure-1 in following page).

Figure-1: Time Spent on Different Motions (%)



Data Source: Parliamentary Proceedings

3.1 Attendance of Parliament Members in different sessions

The average attendance of the Members of Parliament (MP) in different sessions was 309 (88% of all) members. It is found that 30% members were present in different sessions on more than 75% work-days. However, in 9th Parliament corresponding figure was 50%. One member from the treasury bench was present on 2 days. Thirty one percent of the members of the treasury bench attended on more than 75% work-days. On the other hand, 28% members from main opposition, 26% from other opposition were present in more than 75% work days. Only 18% ministers were present on more than 75% work-days. Compared with that of the 9th Parliament¹, presence of ministers decreased. The Leader of the Parliament was present in 78% work-days (60 days) and the Leader of the Main Opposition on 46% (35 days) work-days. This is a higher attendance by both compared to the 9th Parliament, but the attendance of the Leader of the Main Opposition is comparatively quite low. It is to be noted that one member from each of the treasury and the opposition bench remained absent in sessions under consideration because of criminal proceeding against them are pending under the courts.

3.2 Walk-out

The members of the main opposition and other opposition did not walk-out or abstain from the parliament in fourteenth to eighteenth sessions of the 10th parliament.

3.3 Quorum crisis

Quorum crisis happens due to delay of taking seats by certain number of members. In the five sessions under consideration, the total time lost due to quorum crisis is estimated to be 38 hours

¹ Source: Bangladesh Parliament Secretariat.

and 3 minutes.² This time is 13% of the total time spent (298 hours and 11 minutes) in five sessions. The average quorum crisis on a working day is 30 minutes. It is to be noted that the quorum crisis in 9th Parliament was 32 minutes. According to the estimate, the cost involved for running the parliament sessions per minute is around Tk 63 thousand six hundred and sixty. Thus, considering this estimates the monetary value for the total time spent for quorum crisis is estimated to be Tk. 37 crore 36 lakh 95 thousand and one hundred and 38³.

4.1 Enactment of laws

In total, 24 bills were passed in five sessions. About 23 hours 28 minutes were spent for legislative businesses which is about 9% of the time spent in five sessions. Twenty six parliament members spent 33% of the time allocated for law enactment for raising amendments on the bills, requesting for taking public opinions and item-wise amendments⁴.

Twenty six parliamentarians placed amendments on the bills and attended discussions for amendments of the bills and requesting verification of public opinions. Among the members who took part in the legislative discussions, the main opposition members participated in around 93.5% of the time spent for the discussions. On average, 35 minutes were used including the process of placing the bill, discussion of the MPs and relevant minister's speech on the bill.

The requests for seeking public opinion on proposed bills were rejected by voice vote as practised earlier. Thus, people's participation in enactment of laws could not be ensured adequately. Similarly, opinions and proposals floated by opposition members in law making processes were rejected.

4.2 Budget discussions

Almost 66 hours 34 minutes were spent for budget discussions which is almost 25% of the total session time in five sessions. In budget sessions, 190 MPs participated who consumed 77% of the time spent for budget discussions. The members of main opposition in their discussions voiced their concerns on financial irregularities and corruption and drew government's attention on them. Honorable Finance Minister agreeing to such allegation said in the parliament that "Money laundering is illegal, there is no mechanism to stop it fully. But we can take measures to reduce its extent. We can also reduce the opportunities for making black money. Some steps have been taken. They will be visible within the next six months." He further said that for "several years the opportunity to whiten black money has not been allowed. But there are laws in the country to whiten black money regularly. There is a provision to whiten black money giving a fine of 20

² For calculating quorum crisis time lost due to delays in starting sessions on a work-day and proceedings after prayer breaks are considered.

³ The research team made an estimate of the money value per minute for running the Parliament based on the revised budget for the Parliament for the Fiscal Year 2016-17. The main items of expenditure taken into consideration were salaries and allowances of employees of the Parliament Secretariat, repair and maintenance costs, electricity bills, supplies and services, and remuneration and allowances of Parliamentarians. Expenses for parliamentary committees and International Institutions were deducted. The real sitting time of the house in 2016-17 is considered to estimate per minute expense. This estimation is giving an overview of average expense per minute for sitting session.

⁴ In 2017, about 40% of the sessions' time of the *Lok Sabha* (Lower House of the Parliament) was spent in legislative process. Source: www.prindia.org, accessed on 1 April 2018. Around 48% of total session time of House of Lords was spent in legislative motion during 2016-17. Source: 'Statistics on Business and Membership'; www.parliament.uk, viewed on 20 February 2018

percent and it will continue in the future.”⁵ MPs in their discussions requested to increase allocation in different sectors and urged the government to implement development projects on time. However, they could have discussed in specific manner to combat corruption and increase allocation for development projects.

5. Representation and Oversight Function of the Parliament

To ensure accountability of the government, MPs participated in general discussions and question-answer sessions relating to different ministries and gave notices on public importance and participated in discussions relating to those as well.

5.1 Question-Answer Sessions

In seven days long Prime Minister’s question-answer sessions, in total 20 members asked questions. Among them 13 were from the treasury bench, 5 from the main opposition and 2 from other opposition parties. Highest percentage of the questions (37%) made to the Prime Minister was to inquire about national development strategy and poverty alleviation. A notable observation regarding this motion is that members mostly discussed the achievements and activities of the Prime Minister instead of asking questions.

Around 12.4% of total time was spent on Ministers’ question-answer motion on 29 working-days where 153 members asked questions relating to different ministries. Highest number of questions (16) were asked to the Minister of Local Government, Rural Development and Co-operatives.

5.2 Parliamentary Resolutions

In this session, 13 notices were raised of which 3 postponed. Finally, 10 notices were discussed in the house, but 9 notices were rejected by concerned ministers. The rejected 9 notices were later withdrawn through voice vote with the consent of the concerned parliament members who raised them. Only one notice that was unanimously adopted in the fifteen session was to enact a law for punishing those who would distort the history of 1971 Liberation War and the genocide. In this motion, members also placed different demands from their constituencies and sought policy supports. Highest number of resolutions (80%) were relating to introduction of new services and building infrastructures. Other notable proposals include formulation of certain policies and necessary reform initiatives.

5.3 Notices on Issues of Public Importance

Sixty out of 767 notices were adopted for discussions under Section 71 of Rules of Procedures. Among the adopted notices, 27 were placed for discussions and concerned ministers gave replies on the same. Highest numbers of notices (7 of each) were pertaining to the Ministry of Health and Family Welfare. Fifty eight members discussed on 237 notices belong to notices that were rejected. Among them, 33 notices were relating to the Ministry of Local Government, Rural Development and Co-operatives. Later, decisions against those notices were notified to concerned members by the ministry in written.

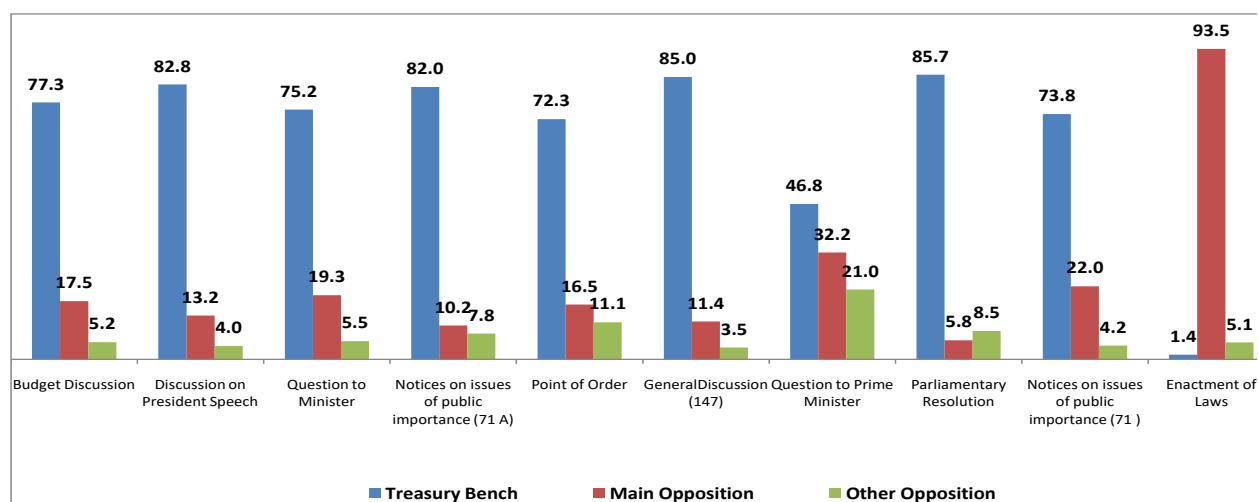
5.4 Discussions under Point of Order

Altogether 54 MPs took part in discussions under Point of Order for which 4.2% of session time was spent. Highest percentage (41%) of issues were relating to contemporary matters and

⁵ The Daily Jugantor, 7 June 2017

measures taken by the government. The remaining notable issues were relating to irregularities and corruption in implementation of different projects and programmes, law and order (public safety) and judicial service, criticism and condemnation, parliamentary processes and constitutional policies, and praising the popularity of the head of the government and the treasury bench.

Figure 1: Members Participation by Parties in Different Motions (% members)



5.5 General Discussions

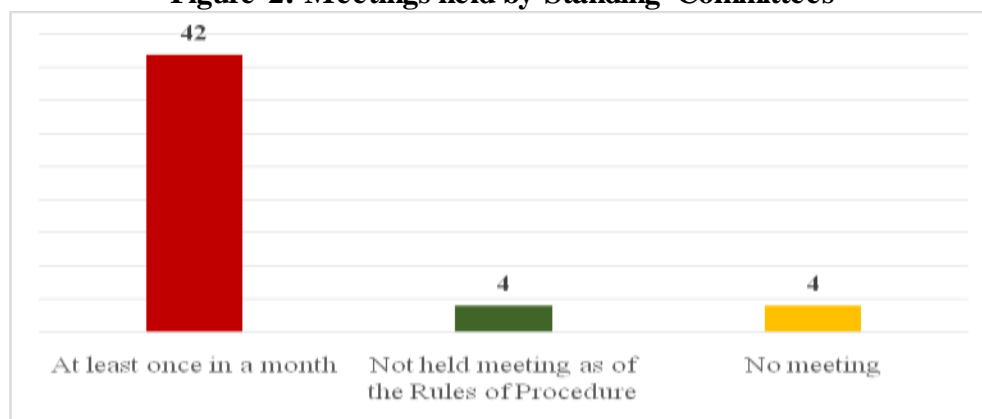
Around 7.4% of total time was spent in this motion. Ninety two members took part in the discussions. No international agreement was discussed in this session keeping the earlier tradition intact although there is a provision that the President would place international agreements in the floor of the parliament for discussion except those that are sensitive for national security.

In total, 309 MPs participated in any of the segments allocated for this motion in the reporting period, while 36 MPs (around 10%) did not participate in any of the segments. It is to be noted that 30% MPs did not participate in any segments of this discussion, although they were present 50% of the working days.

5.6 Roles of Parliamentary Standing Committees

Out of 50 committees, 46 committees held 900 meetings. The Public Accounts Committee held 52 meetings in this reporting period, the highest number for any committee. Forty two committees held meeting at least once or more in a month and 4 committees did not held any meeting as per the Rules of Procedure.

Figure 2: Meetings held by Standing Committees



Data Source: Parliament Secretariat

Opposition members were given the membership in the standing committees proportion to their representation in the parliament. In the selection of committee members, it is observed that skills, eligibility, experience, performance and conflict of interest of members were not taken into cognizance. Dominance of treasury bench and Party Chair is highly visible in the selection of the chairs and members of the committees. According to the information given in the affidavits of members, members of eight committees have conflict of interest which is a clear violation of the Rules of Procedure⁶. In this reporting period, 16 committees released 17 reports, when ten committees published their report for the first time. According to the reports published, percentage of members who were present at those committee meetings was 56%. However, 5 committees did not mention presence status of committee members in their reports. By reviewing the reports of 17 committees, it is observed that 41% committee recommendations were implemented during the reporting period. Analyzing the contents of implemented recommendations, it is also found that 27% recommendations were relating to investigation, formation of sub-committee, publication of report and delivery of information.

Furthermore, reviewing the contents of the committee recommendations, the following issues were observed that pertain to corruption and irregularities:

- Formation of a four-member sub-committee to prevent corruption and bring dynamism at BRTC and ask to submit a report by two months⁷
- Formation of a three-member committee to unearth corruption and irregularities took place in Khulna 150 Megawatt Peaking Power Plant⁸
- Directives to take measures for accelerating the proceedings of the Niko corruption case⁹
- Directives to identify irregularities and corruption taken place at Sonali and Agrani banks and offer recommendations for their solution¹⁰
- Recommendations for dismissal of officials at food department who were responsible for corruption, nepotism, and fraudulent activities after having an investigation¹¹

⁶ *Parliamentary Rules of Procedure*, Rule 188 (2).

⁷ 1st report of the committee relating to the ministry of road transport and bridge (2017)

⁸ 2nd report of the committee relating to the ministry of power, energy and mineral resources (2017)

⁹ 2nd report of the committee relating to the ministry of power, energy and mineral resources (2017)

¹⁰ 1st report of the committee relating to estimate (2017)

¹¹ 1st report of the committee relating to the ministry of food (2017)

- Take action against officers and employees who involved in theft, embezzlement and corruption in food warehouse¹²
- Take necessary measures to prevent irregularities and corruption in the printing of textbooks¹³
- Ask BTMC's chairman to take necessary measures for investigation against officers and employees who were involved in illegal construction at R.K Mission Road¹⁴
- Recommendations by the ministry to investigate allegations of money laundering against the owner of Tanima Enterprise owner Nazrul Islam and taking necessary action¹⁵.

It is to be noted that because of media's limited access to committee meetings and delay in publishing committee reports, full information on committee meetings could not be gleaned.

6. Discussions on President's Speech

Apart from expressing gratitude towards the honorable President, this session was rife with the use of un-parliamentary languages (offensive, abusive and vulgar words) towards the alliances or parties that have no representation in the current parliament and relating to the failures of earlier regimes. Members from both treasury and opposition benches in their discussions attacked alliance leaders out of the house and the opponent in the house citing their personal and family matters. Moreover, members also hurled abusive languages towards some civil society members and international organizations. Some members floated proposals to take development projects in their constituencies and raised concerns on prevailing law and order situation. Sometimes opposition bench was found to criticize their own status and role in the parliament.

7. Role of the Speaker

Sometimes, members from treasury bench and opposition violated the Rules of Procedure (rule 270, sub-section 6) through displaying un-parliamentary behaviors and uses of abusive languages in the house. Thus, members used 5% of the total time using un-parliamentary manner in different motions. Although leaders and members from the treasury bench and opposition attacked opposition out of the house in a contemptuous manner, the Speaker remained silent and did not issue ruling to expunge those abusive and unpleasant comments and remarks. In different motions, members used un-parliamentary words 195 times towards political alliance out of the current house, once towards the member of own party and 23 times towards members of civil society. It was observed that the Speaker didn't take adequate measures according to the Rules of Procedure (Section 267, Sub-section 2, 4 and 8) in maintaining order in the gallery. Disorders were observed on other many occasions; for example, members were found engaged in discussions with other members leaving their own seat, casual discussions in small groups during sessions, indulged in discussions with members of nearby seats, roamed in the corridors outside the main hall etc.

¹² 1st report of the committee relating to the ministry of food (2017)

¹³ 2nd report of the committee relating to the ministry of primary and mass education (2017)

¹⁴ 1st report of the committee relating to the ministry of textile and jute (2017)

¹⁵ 1st report of the committee relating to the ministry of textile and jute (2017)

8. Gender perspectives: Participation by Female MPs

8.1 Roles and participation of female members in different motions

Around 46% of the female MPs attended more than 75% of total session times in the reporting period where corresponding figure for male was 27%. Thus, in regard to attendance, female members are ahead of male members. One member from treasury bench attended 100% work-days. In the Prime Minister's question-answer motion two female MPs (reserved seat) took part and in ministers' question-answer motion the figure was 29 (including 24 from reserved seat). Only two female members (main opposition) participated in law making process through raising objections and proposing the need for taking public opinion on proposed bills. Only six female members participated the discussions on 6 public interest notices as per Rule 71. A total of 16 female members took part in discussions on 35 notices floated under Section 71(A) of the Rules of Procedure. Moreover, a total of 41 female MPs took part in discussions on the budget and 49 female MPs on President's Speech. Although attendance of female members is found higher compared to that of male members, participations of female members in different discussions is found less compared to those of male members. On the other hand, female members were made Chairs in eight committees. However, there is no female members in the Assurance Committee. In a nut-shell, although participation of female members has increased in numbers, their participation in law making, representation and making the government accountable is found less conspicuous.

8.2 Discussions in the parliament on women rights and their development

The 17th session was taken as a case to assess issues regarding women rights and their development discussed in the Parliament. It was found that no such issues were discussed in the question answer session of the Prime Minister and discussions on the notices of public interest. Four notices regarding development of the health status of women were floated in the discussions on public interest, of which one notice was adopted. In the Ministers' question-answer session 26 questions were placed which belonged to 10% of total questions asked to the ministers.

9. Roles of the Main Opposition

Ambiguities still persist about the role of the Main Opposition Party, as they are participating in the cabinet and their dubious stance on different matters in last four years of the parliament. One example of their dubious role is use of irrelevant and un-parliamentary languages toward the alliance or parties that have no representation in the house in concert with the treasury bench. Though main opposition placed the proposals on taking public opinion in enacting laws and placed some amendments, they were not considered seriously in the house. It was also observed that they drew attention of the government to prevailing law and order situation and financial misappropriation. Even they were found to criticize the government constructively and request the government to undertake different projects. But overall they failed to play an effective role of a strong opposition to make the government accountable.

10. Major observations of the study

Some positive observations are noticed through analyzing the proceedings of 14-18th sessions of the 10th Parliament. They include some increment in the attendance of members and average time for passing of laws. However, proportion of total time spent for legislative businesses still remains low. Discussions took place on much talked about murders in recent times and terrorist activities. Moreover, there were constructive discussions on corruption and irregularities that took place in the financial sector.

On the other hand, some challenges still persist. Quorum crisis and the practice of rejecting proposals to seek public opinion on for enactment of law remained as usual. Members from treasury bench participated less in the legislative businesses. Use of un-parliamentary words and comments by both the treasury and opposition benches towards the opponents out of the parliament and civil society members still continue. Lack of effective role to prevent un-parliamentary words and comments and bringing discipline in the floor by the Speaker was observed. Although presence of female members is found greater than that of male members, their participation in parliamentary discussions is found less. International agreements signed during these sessions under consideration were not discussed in the parliament. Opinions of oppositions in the parliament were not received due attention. Moreover, there has been allegations of conflict of interest among some members of standing committees. Some standing committees did not hold their meeting regularly. Concerned ministries and departments did not give due attentions to recommendations put forward by respective standing committees. Access to and openness of standing committees are found to be deficient. Importantly, the opposition has failed to make the government accountable for its activities.

Although abstaining from the sessions of 8th and 9th Parliament by the opposition had been quite visible, in 10th Parliament the opposition did not abstain from attending the sessions. Moreover, the opposition could not use walk out to demonstrate their effective role. Although the members voiced their concerns independently in budget discussions, the Article 70 still restrict them to express their voice fully independently. The verdict of the High Court regarding the rejection of the 16th amendment of the constitution stated that ‘Article 70 of the constitution hinder members to express their views in the Parliament. The members do not have any freedom to express their voice and go against the position of the party even though the position of the party is wrong. They cannot cast their vote against the party position. In reality, members of the parliament are made captive by the party policy makers’.

Table 1: A Comparative Picture of the 8th, 9th, and 10th Parliament
(14th – 18th Session)

Indicator	8th Parliament (2001-2005)	9th Parliament (2009-2013)	10th Parliament (2014-Continue)
Average Work Time of Each Work Day	2 hours 54 minutes	3 hours 7 minutes	3 hours 25 minutes
Average Presence of Parliament Members of Each Work Day	55%	77%	88%
Time Spent in Passing Bill	10%	9.5%	9%
Average Time Spent in Passing Each Bill	34 minutes	28 minutes	35 minutes
Average Quorum Crisis Per Work Day	25 minutes	32 minutes	30 minutes
Parliamentary Standing Committee	No representation of the opposition in the committee as Chair	Two members of the main opposition party and one member of other opposition were in the committees as Chair	One member of the opposition was in a committee as Chair
Walkout	7 times	14 times	No Walkout
Boycott	83% of total work days	82% of total work days	No Boycott

11. Recommendations

The following recommendations are put forward by TIB and it believes, if implemented, they would strengthen the Parliament and make it more effective in promoting accountable and transparent governance and institutionalization of democracy in Bangladesh.

Participation of the Members

1. Steps should be taken to re-table and enact the ‘MPs’ Code of Conduct Bill’ with necessary changes in the bill.
2. The Speaker should play a strong role to prevent uses of unpleasant languages and display of un-parliamentary behaviors.

3. Article 70 should be amended for the sake of allowing members to express their voice and take position against the party line except for no confidence vote against the party and for its position on the budget
4. Reasonable proposals given on legislation by the opposition should be taken into account by the treasury bench
5. Necessary steps should be taken to place international treaties/agreement for discussions in the parliament as per constitutional mandate

Increase public participation in parliamentary affairs

6. The Petition Committee should be made effective, draft laws placed in the house should be made available on the parliament website so the people can provide feedback on them

Making the Parliamentary Committees Effective

7. The committee meetings should be held regularly as per the rule.
8. The standing committees should be kept absolutely free from conflict of interest of its members according to the rule.
9. The reports of the committees should be published regularly (TIB proposes that at least one report should be published every 6 months).
10. Chairs of one-third of all committees, including the Public Accounts Committee and committees on ministries having higher budgetary allocation should be nominated from the opposition members
11. Initiative has to be taken to implement recommendations made by standing committees considering their importance.

Disclosure of Information

12. Public access to information related to parliamentary matters including the attendance of the MPs, committee reports and parliamentary proceedings should be published on its website regularly. All the information of the website should be updated regularly and yearly calendar of the parliament should be introduced.
13. Initiatives should be taken to systematically manage and proactively disclose information of various activities of the MPs outside of the Parliament.
14. The details of the international treaties/agreements except those relating to national security should be disclosed on the parliament website.
15. Affidavit of all parliament members including reserved seats members will have to be published on the website and update them regularly.
